No. 4

In the Supreme Court of the United States

[redacted] GARDEN APARTMENTS, INC.,
a corporation, et al., *Petitioners*,

vs.

UNITED STATES OF AMERICA, *Respondent*

PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

[redacted] LYON, TE, DIAMOND & SYLVESTER
and LYLE L. IVERSEN
Attorneys for Petitioners

[redacted] Post Office Address
[redacted] Building, Seattle 1, Washington

No.

In the Supreme Court of the United States

VIEW CREST GARDEN APARTMENTS, INC., a corporation, et al, *Petitioners*

vs.

UNITED STATES OF AMERICA, *Respondent*

PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

LYCETTE, DIAMOND & SYLVESTER
and LYLE L. IVERSEN
Attorneys for Petitioners

Office and Post Office Address:
400 Hoge Building, Seattle 4, Washington

INDEX

	Page
OPINIONS BELOW	1
JURISDICTION	1
STATUTES INVOLVED	2
QUESTIONS PRESENTED	2
STATEMENT OF THE CASE	2
SUMMARY OF ARGUMENT	6
REASONS FOR GRANTING THE WRIT	7
THE DECISION TAKES PROPERTY WITHOUT DUE PROCESS OF LAW	17
APPENDIX A	1A
APPENDIX B	10A
APPENDIX C	11A
APPENDIX D	12A

TABLE OF CASES

	Page
Clark v. Huckaby, 28 F.(2d) 154	19
Clise v. Burns, 175 Wash. 173; 26 P.(2d) 627	4, 8, 13
Friedman's Savings and Trust Co. v. Shepherd, 127 U.S. 494, 32 L. Ed. 163	16, 18
Garden Homes v. U.S., 207 F.(2d) 459	18
Green v. Van Buskirk, 72 U.S. (5 Wall) 307, 18 L. Ed. 599	19
Harvey v. Rhode Island Locomotive Works, 93 U.S. 664, 23 L. Ed. 1003	19
In re Circle Trading Co., (2 CCA) 26 F.(2d) 193	19
New York Trust Co. v. Island Oil and Transport Co., (2 CCA) 3 F.(2d) 104	19
Norfor v. Busby, 19 Wash. 450; 53 Pac. 75	12
Peoples Savings & Loan Assn. v. Smith, 174 Wash. 289, 24 P.(2d 644	4, 16, 19
Rubenstein v. Norse, (8 CCA) 70 F.(2d) 482	19
Reconstruction Finance Corporation v. Beaver County, Pa., 328 U.S. 204, 209-210, 66 S.Ct. 992, 90 L. Ed. 1172	15
State ex rel Gwinn, Inc. v. Superior Court, 170 Wash. 463; 16 P.(2d) 831	4, 12
Teal v. Walker, 111 U.S. 242, 28 L. Ed. 415	12
Totten v. Harlow, 90 F.(2d) 377	19
U.S. v. Cless, 254 F.(2d) 590, 594	14
U.S. v. John Hancock Mutual Life Insurance Co., S.Ct. 565; 341 P.(2d) 1002	7, 9, 10
U.S. v. Kramel, 234 F.(2d) 577	15
View Crest Garden Apartments, Inc. v. U.S., 268 F.(2d) 380	5
Western Loan & Building Co. v. Mifflin, 162 Wash. 33; 297 Pac. 743	4, 12

STATUTES

	Page
Revised Code of Washington, Section 7.28.230	2, 4, 8, 15, 18, 12A
United States Code, Title 12, Section 1707	2, 9, 10A
United States Code, Title 28, Section 1254(1)	1
United States Code, Title 12, Section 1750	2, 11, 11A
District of Columbia Code, Title 45, Section 45-601	12

TEXTS

	Page
56 Am. Jur 450-451	20, 21

In the Supreme Court of the United States

VIEW CREST GARDEN APARTMENTS, INC., a corporation, et al, *Petitioners*

vs.

UNITED STATES OF AMERICA, *Respondent*

PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Petitioners pray for a Writ of Certiorari to review the judgment of the United States Court of Appeals for the Ninth Circuit in this case.

OPINIONS BELOW

The opinion of the trial court was given orally (Tr. 88-102) and has not been published in official reports. The opinion of the Court of Appeal (Apendix A, infra) is not yet reported in the Official Federal reports.

JURISDICTION

The jurisdiction of the court is invoked under Title 28, United States Code, Section 1254 (1). The judgment of the court below was entered on August 2, 1960. (Tr. 125 to 133). This petition is filed within ninety days following said date.